

U.S. v. Southern Coal Corporation, Civil Action No. 7:16-cv-00462-GEC

Exhibit 10

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

(ROANOKE DIVISION)

UNITED STATES OF AMERICA, ET AL.,)	
)	
Plaintiffs,)	
)	Civil Action No. 7:16-cv-00462-GEC
v.)	
)	
SOUTHERN COAL CORPORATION, ET AL.,)	
)	
Defendants.)	
)	
)	

**PROPOSED ORDER GRANTING THE UNITED STATES', STATE OF ALABAMA'S,
AND THE STATE OF TENNESSEE'S MOTION TO COMPEL COMPLIANCE
WITH THE CONSENT DECREE**

Upon consideration of the United States', State of Alabama's, and the State of Tennessee's Motion to Compel Compliance with the Consent Decree ("Motion"); and the Court having found that it retained jurisdiction over this matter pursuant to the Consent Decree (Docket No. 21, ¶ 134); and the Court having determined that the legal and factual bases set forth in the Motion and Memorandum in Support of the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Motion is granted as set forth herein.
2. Within 10 days of the date of this Order, the Defendants Southern Coal Corporation, Premium Coal Company, Inc., and Justice Coal of Alabama, LLC shall pay \$3,192,000 in Stipulated Penalties to the Plaintiffs, in the allocations provided in ¶ 93 of the CD.

3. By no later than April 30, 2021, the Defendants Southern Coal Corporation and Premium Coal Company, Inc., shall complete all necessary work to cease the unpermitted discharges at the Premium Coal Refuse Area #2, Premium Coal Mine 5A, and Premium Coal Mine 20 in Tennessee as directed by the Tennessee Department of Environment and Conservation.
4. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

So Ordered this ____ day of _____, 2021.

GLEN E. CONRAD
United States District Judge